

AIR SERVICES AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE KINGDOM OF SAUDI ARABIA
AND
THE GOVERNMENT OF
THE ORIENTAL REPUBLIC OF URUGUAY

PREAMBLE

The Government of the Kingdom of Saudi Arabia and the Government of the Oriental Republic of Uruguay (hereinafter, “the Contracting Parties”);

Being Parties to the Convention on International Civil Aviation, opened for signature at Chicago on 7 December, 1944;

Desiring to promote an international aviation system based on competition among airlines in the marketplace with minimum government interference and regulation;

Desiring to facilitate the expansion of international air services opportunities;

Recognising that efficient and competitive international air services enhance trade, the welfare of consumers, and economic growth;

Desiring to make it possible for airlines to offer the travelling and shipping public a variety of service options at the lowest prices that are not discriminatory and do not represent abuse of a dominant position, and wishing to encourage individual airlines to develop and implement innovative and competitive prices; and

Desiring to ensure the highest degree of safety and security in international air services and reaffirming their grave concern about acts or threats against the security of aircraft, which jeopardise the safety of persons or property, adversely affect the operation of air services, and undermine public confidence in the safety of civil aviation.

Have agreed as follows:

ARTICLE 1 **DEFINITIONS**

For the purpose of this Agreement, unless the context otherwise requires:

1. The term "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944 and includes any Annexes and amendments adopted under Articles 90 and 94 of the Convention thereof so far as those Annexes and amendments have become effective for or been ratified by both Contracting Parties.
2. The term "Aeronautical Authorities" means in the case of the Government of the Kingdom of Saudi Arabia, the General Authority of Civil Aviation and in the case of the Government of the Oriental Republic of Uruguay, National Director of Civil Aviation and Aeronautical Infrastructure, in both cases, any other person or body authorized to perform any functions presently exercised by the said Aeronautical Authorities;
3. The term "designated airline" means an airline, designated and authorized in accordance with Article 3 (Designation and Authorization) of this Agreement;
4. The term "tariff" means the prices to be paid for the carriage of passengers, cargo and baggage and the conditions under which those prices apply, including prices and conditions for agency and other auxiliary services but excluding remuneration and conditions for the carriage of mail;
5. The term "territory" in relation to a State has the meaning assigned to it in Article 2 of the Convention.
6. The terms "air service", "International air service", "airline" and "stop for non-traffic purposes" have the meaning respectively assigned to them in Article 96 of the Convention.
7. The term "Agreement" means this Agreement, its Annex and any amendments thereto.
8. The term "Schedule" means the Schedule of the routes to operate air transportation services annexed to this Agreement and any amendments thereto as agreed in accordance with the provisions of Article 17 (Consultation and Amendment) of this Agreement.
9. The term "capacity" in relation to "an aircraft" means the payload of that aircraft available on a route specified in the annexed Schedule or section of a route.

10. The term “spare parts” means articles of a repair or replacement nature for incorporation in an aircraft, including engines.
11. The term “regular equipment” means articles, other than stores and spare parts of a removable nature, for use on board an aircraft during flight, including first aid and survival equipment.
12. The term “facilities and airport Charges” means Charges made to airlines for the provision of aircraft, their crews and passengers of airport and air navigation facilities, including related services and facilities.
13. “air transportation” means the public carriage by aircraft of passengers, baggage, cargo and mail, separately or in combination, for remuneration or hire;
14. “domestic air transportation” is air transportation in which passengers, baggage, cargo and mail which are taken on board in a State territory are destined to another point in that same State’s territory;
15. “international air transportation” is air transportation in which the passengers, baggage cargo and mail which are taken on board in the territory of one State are destined to another State;
16. “intermodal air transportation” means the public carriage by aircraft and by one or more surface modes of transport of passengers, baggage, cargo and mail, separately or in combination, for remuneration or hire;
17. “ICAO” means the International Civil Aviation Organization;
18. “code-share” means cooperative marketing arrangements between two or more designated airlines for conducting operations.

ARTICLE 2 **GRANTING OF RIGHTS**

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of establishing and operating scheduled international air services on the routes specified in the Schedule annexed to this Agreement. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively.
2. An airline designated by each Contracting Party shall enjoy exercising, whilst operating an agreed service on a specified route, the following rights:

- (a) To fly, without landing, across the territory of the other Contracting Party;
- (b) To make stops in the said territory for non-traffic purposes; and
- (c) To make stops in the said territory at the points specified for that route in the schedule annexed to this Agreement, for the purpose of putting down and taking on international traffic in passengers, cargo, baggage and mail.

3. The exercise of traffic rights in intermediate and beyond points specified in the routes schedule annexed to this Agreement is subject to the negotiation and agreement of the designated airlines of the Contracting Parties and approval of their Competent Authorities.

4. Nothing in paragraphs (1) and (2) of this Article shall be deemed to confer on the airline(s) of one Contracting Party the privilege of taking on, in the territory of the other Contracting Party, passengers, cargo, baggage or mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party.

ARTICLE 3

DESIGNATION AND AUTHORIZATION

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or more airlines to operate the agreed services and to withdraw or alter such designation.

2. On receipt of such a designation, and of application from the designated airline, in the form and manner prescribed for operating authorization, each Contracting Party shall grant the appropriate operating authorization with minimum procedural delay, provided that:

- a) the airline is and remains substantially owned and effectively controlled by nationals of the Contracting Party designating the airline;
- b) the Contracting Party designating the airline is in compliance with the provisions set forth in Article 13 (Air Safety) and Article 14 (Aviation Security); and
- c) the designated airline is qualified to meet other conditions prescribed under the laws and regulations normally applied to the operation of international air transport services by the Contracting Party receiving the designation.